

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA

v.

ROBERT HUNTER BIDEN,

Defendant.

)  
)  
)  
)  
)  
)  
)

Criminal Action No. 1:23-cr-61-MN

~~FILED UNDER SEAL~~

**SEALED MOTION REQUESTING SEALED ORDER COMPELLING TESTIMONY  
PURSUANT TO TITLE 18, UNITED STATES CODE, SECTIONS 6001-6003**

NOW COMES the United States of America, by and through its attorneys, David C. Weiss, Special Counsel, and undersigned counsel, and hereby respectfully moves this Court to issue an Order pursuant to the provisions of Title 18, United States Code, Section 6001, et seq. compelling Hallie Biden to give testimony and provide other information, which she refuses to give or provide on the basis of her privilege against self-incrimination, as to all matters about which she may be interrogated at the trial in *United States v. Robert Hunter Biden*, 23-61 (D. Del.) (the Hon. Maryellen Noreika presiding), and any further proceedings resulting therefrom or proceedings ancillary thereto. In support of this request, the United States submits the following:

1. This Court previously issued an Order compelling the testimony of Hallie Biden which stated, in relevant part:

NOW THEREFORE, IT IS ORDERED pursuant to Title 18, United States Code, Section 6002:

1. That the witness, Hallie Biden, give testimony or provide other information which she refuses to give or provide on the basis of her privilege against self-incrimination as to all matters about which she may be interrogated before said grand jury relating to possible violations of Title 26, United States Code, Sections 7201, 7203, and 7206, Title 22, United States Code, Section 611, et seq., and Title 18, United States Code, Sections 922 and 924.

2. That no testimony or other information compelled under this Order, or any

information directly or indirectly derived from such testimony or other information, may be used against said witness in any criminal case, in any court, except a prosecution for perjury, giving a false statement, or otherwise failing to comply with this order.

*See In Re: Grand Jury Proceedings*, Misc. Action No. 22-181 (Order dated April 18, 2022 attached as Exhibit 1).

2. Hallie Biden testified before a grand jury in the District of Delaware on April 19, 2022.

3. On April 11, 2024, undersigned counsel spoke with counsel for Hallie Biden, Mike Ferrera, Esq., and advised that she would be called as a witness at trial in *United States v. Robert Hunter Biden*, 23-61 (D. Del.). Mr. Ferrera agreed to accept service of a trial subpoena. On May 16, 2024, undersigned counsel spoke with Mr. Ferrera who advised that it was his view that the Court's prior immunity order may not cover testimony in the forthcoming trial. Mr. Ferrera further advised that his client, Hallie Biden, would therefore invoke and refuse to testify or provide other information on the basis of her privilege against self-incrimination absent another court order.

4. It is the judgment of the undersigned, the testimony and information Hallie Biden will provide at trial is necessary to the public interest.

5. This application is made with the approval of Acting Deputy Assistant Attorney General Stuart M. Goldberg, Tax Division, U.S. Department of Justice, pursuant to the authority vested in him by Title 18, United States Code, Section 6003 and 28 C.F.R. 0.175. A copy of the authorization from said Deputy Assistant Attorney General is attached hereto as Exhibit 2. It is the position of the United States Department of Justice that this authorization covers any necessary application for statutory immunity in the upcoming trial of *United States v. Robert Hunter Biden*, 23-61 (D. Del.) because the authorization is also for "any further proceedings resulting therefrom

or ancillary thereto,” and the trial resulted from the investigation by the District of Delaware grand jury identified in Exhibit 2. Accordingly, no further Department of Justice authorization is required for the Special Counsel to apply to this Court for an immunity order.

The government respectfully requests that the Court enter the attached order.

Respectfully submitted,

DAVID C. WEISS  
SPECIAL COUNSEL

By:



---

Derek E. Hines  
Senior Assistant Special Counsel

Leo J. Wise  
Principal Senior Assistant Special Counsel

U.S. Department of Justice

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA	)	
	)	
v.	)	Criminal Action No. 1:23-cr-61-MN
	)	
ROBERT HUNTER BIDEN,	)	<b>UNDER SEAL</b>
	)	
Defendant.	)	

**SEALED ORDER COMPELLING TESTIMONY PURSUANT TO TITLE 18, UNITED  
STATES CODE, SECTION 6001-6003**

On Motion of Special Counsel David C. Weiss, requesting that the Court issue an Order pursuant to the provisions of Title 18, United States Code, Section 6001, et seq., compelling testimony or other information; and it appearing to the satisfaction of the Court that:

1. Hallie Biden has been called to testify or provide information at the trial of *United States v. Robert Hunter Biden*, 23-61 (D. Del.) and, in any further proceedings resulting therefrom or ancillary thereto.
2. Hallie Biden has refused to testify or provide other information on the basis of her privilege against self-incrimination.
3. In the judgment of the Special Counsel, the testimony or other information from said witness may be necessary to the public interest.
4. The aforesaid Motion has been made with the approval of Acting Deputy Assistant Attorney General Stuart M. Goldberg, Tax Division, U.S. Department of Justice, pursuant to the authority vested in him by Title 18, United States Code, Section 6003 and 28 C.F.R. 0.175.

NOW THEREFORE, IT IS ORDERED pursuant to Title 18, United States Code, Section 6002:

1. That the witness, Hallie Biden, give testimony or provide other information which she refuses to give or provide on the basis of her privilege against self-incrimination as to all matters about which she may be interrogated during the trial of *United States v. Robert Hunter Biden*, 23-61 (D. Del.) and, in any further proceedings resulting therefrom or ancillary thereto.

2. That no testimony or other information compelled under this Order, or any information directly or indirectly derived from such testimony or other information, may be used against said witness in any criminal case, in any court, except a prosecution for perjury, giving a false statement, or otherwise failing to comply with this order.

3. This order shall be sealed pending further order of the court.

BY THE COURT:

---

HONORABLE MARYELLEN NOREIKA  
UNITED STATES DISTRICT JUDGE

Dated: